

**UNITED STATES DISTRICT COURT**  
**District of Maine**

MEGHAN NICOLE QUINN,  
Plaintiff

V.

U.S. PRISONER TRANSPORT, INC.,  
PRISONER TRANSPORT SYSTEMS OF  
AMERICA, LLC, ANDROSCOGGIN  
COUNTY, JOHN DOE ONE, JOHN DOE  
TWO, and ANDREW ROBINSON,  
Defendants

Docket No. 2:18-cv-00149-DBH

**ANSWER AND AFFIRMATIVE DEFENSES OF DEFENDANT ANDROSCOGGIN  
COUNTY**

NOW COMES Defendant Androscoggin County, by and through undersigned counsel, and hereby responds to the allegations contained in Plaintiff's Complaint as follows:

## AFFIRMATIVE DEFENSES

- A. Plaintiff's Complaint fails to state a cause of action upon which relief may be granted.
- B. Plaintiff's damages were directly and proximately caused by the acts and/or omissions of an individual and/or entity other than this Defendant.
- C. Plaintiff's damages were directly and proximately caused by a legally sufficient superseding/intervening cause.
- D. Plaintiff has failed to mitigate her damages as required by law.
- E. This Defendant is entitled to general immunity under the Maine Tort Claims Act.
- F. Plaintiff's tort claims are barred because Plaintiff has failed to comply with the notice provisions of the Maine Tort Claims Act.

G. The Androscoggin County District Attorney is an employee of the State, not the County, and the County is not liable for the District Attorney's conduct.

### ANSWER

#### Introduction

1. This Defendant denies the allegations contained in this paragraph of Plaintiff's Complaint.

2. Defendant Androscoggin County denies any liability to Plaintiff as alleged in this paragraph of Plaintiff's Complaint.

#### Parties

3-6. This Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the allegations contained in these Paragraphs of Plaintiff's Complaint and therefore denies same.

7-8. This Defendant denies the allegations contained in these paragraphs of Plaintiff's Complaint.

#### Jurisdiction

9. The allegations contained in this paragraph of Plaintiff's Complaint do not require a response. To the extent a response is required, Defendant Androscoggin County agrees that this court has jurisdiction over these claims.

#### Venue

10. The allegations contained in this paragraph of Plaintiff's Complaint do not require a response. To the extent a response is required, Defendant Androscoggin County agrees that venue is proper in this judicial district.

General Allegations

11-27. This Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the allegations contained in these Paragraphs of Plaintiff's Complaint and therefore deny same.

28-30. This Defendant denies the allegations contained in these paragraphs of Plaintiff's Complaint.

31. This Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint and therefore denies same.

Count I - Civil Rights Violation - 42 U.S.C. § 1983

32. This Defendant repeats and reasserts its responses to Paragraphs 1 through 31 of this Complaint as it fully set forth herein.

33. This Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint and therefore denies same.

34. This Defendant denies the allegations contained in this paragraph of Plaintiff's Complaint.

35-45. This Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint and therefore denies same.

46-48. This Defendant denies the allegations contained in these paragraphs of Plaintiff's Complaint.

49. This Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint and therefore denies same.

50-52. This Defendant denies the allegations contained in these paragraphs of Plaintiff's Complaint.

53. Defendant Androscoggin County denies the allegations contained in this paragraph of Plaintiff's Complaint insofar as they pertain to it and are without sufficient knowledge or information so as to form a belief as to the truth of the allegations contained in this paragraph insofar as they pertain to the other defendants and therefore denies same.

54-56. This Defendant denies the allegations contained in these paragraphs of Plaintiff's Complaint.

57. WHEREFORE, Defendant Androscoggin County prays for judgment in its favor on Count I of Plaintiff's Complaint, plus costs, interest, and attorneys fees.

Count II - Negligence

58-62. These allegations do not appear to pertain to Defendant Androscoggin County. To the extent that this Defendant is required to respond to any of the allegations contained in these paragraphs of Plaintiff's Complaint, this Defendant denies all such allegations.

62. WHEREFORE, Defendant Androscoggin County prays for judgment in its favor on Count II of Plaintiff's Complaint, plus costs, interest, and attorneys fees.

Count III - Battery

64-67. These allegations do not appear to pertain to Defendant Androscoggin County. To the extent that this Defendant is required to respond to any of the allegations contained in these

paragraphs of Plaintiff's Complaint, this Defendant denies all such allegations.

68. WHEREFORE, Defendant Androscoggin County prays for judgment in its favor on Count III of Plaintiff's Complaint, plus costs, interest, and attorneys fees.

Count IV - Intentional Infliction of Emotional Distress

69-72. These allegations do not appear to pertain to Defendant Androscoggin County. To the extent that this Defendant is required to respond to any of the allegations contained in these paragraphs of Plaintiff's Complaint, this Defendant denies all such allegations.

73. WHEREFORE, Defendant Androscoggin County prays for judgment in its favor on Count IV (Intentional Infliction of Emotional Distress) of Plaintiff's Complaint, plus costs, interest, and attorneys fees.

Count IV(sic) - Common Carrier Strict Liability

74-80. These allegations do not appear to pertain to Defendant Androscoggin County. To the extent that this Defendant is required to respond to any of the allegations contained in these paragraphs of Plaintiff's Complaint, this Defendant denies all such allegations.

81. WHEREFORE, Defendant Androscoggin County prays for judgment in its favor on Count IV (Common Carrier Strict Liability) of Plaintiff's Complaint, plus costs, interest, and attorneys fees.

Count V - Vicarious Liability

82-87. These allegations do not appear to pertain to Defendant Androscoggin County. To the extent that this Defendant is required to respond to any of the allegations contained in these paragraphs of Plaintiff's Complaint, this Defendant denies all such allegations.

88. WHEREFORE, Defendant Androscoggin County prays for judgment in its favor on Count V of Plaintiff's Complaint, plus costs, interest, and attorneys fees.

Count VII - Negligent Supervision and Hiring

89. This Defendant repeats and reasserts its responses to Paragraphs 1 through 88 of this Complaint as it fully set forth herein.

90-92. This Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the allegations contained in these Paragraphs of Plaintiff's Complaint and therefore denies same.

93. This Defendant denies the allegations contained in this paragraph of Plaintiff's Complaint.

94. This Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint and therefore denies same.

95. This Defendant denies the allegations contained in this paragraph of Plaintiff's Complaint.

96. This Defendant is without sufficient knowledge or information so as to form a belief as to the truth of the allegations contained in this Paragraph of Plaintiff's Complaint and therefore denies same.

97. This Defendant denies the allegations contained in this paragraph of Plaintiff's Complaint.

98. WHEREFORE, Defendant Androscoggin County prays for judgment in its favor on Count VII of Plaintiff's Complaint, plus costs, interest, and attorneys fees.

Dated: May 22, 2018

/s/ Peter T. Marchesi  
Peter T. Marchesi, Esq.

/s/ Cassandra S. Shaffer  
Cassandra S. Shaffer, Esq.

Wheeler & Arey, P.A.  
Attorneys for Androscoggin County  
27 Temple Street  
Waterville, ME 04901

**UNITED STATES DISTRICT COURT  
District of Maine**

MEGHAN NICOLE QUINN,	)	
Plaintiff	)	Docket No. 2:18-cv-00149-DBH
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v.	)	
	)	
U.S. PRISONER TRANSPORT, INC.,	)	
PRISONER TRANSPORT SYSTEMS OF	)	
AMERICA, LLC, ANDROSCOGGIN	)	
COUNTY, JOHN DOE ONE, JOHN DOE	)	
TWO, and ANDREW ROBINSON,	)	
Defendants	)	

**CERTIFICATE OF SERVICE**

I, Peter T. Marchesi, hereby certify that:

- Answer and Affirmative Defenses of Defendant Androscoggin County

has been served this day on Plaintiff by filing with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to the following:

Benjamin Donahue, Esq.      *bdonahue@hww.law*

Dated: May 22, 2018

\_\_\_\_\_  
/s/ Peter T. Marchesi  
Peter T. Marchesi, Esq.  
Wheeler & Arey, P.A.  
Attorneys for Androscoggin County  
27 Temple Street  
Waterville, ME 04901